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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **1663**

04/02/2013 Authored by Hansen

The bill was read for the first time and referred to the Committee on Environment, Natural Resources and Agriculture Finance

1.1 A bill for an act
1.2 relating to the Public Facilities Authority; providing for the use of funding for
1.3 buyouts under certain conditions; amending Minnesota Statutes 2012, section
1.4 446A.075, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 446A.075, is amended by adding a
1.7 subdivision to read:

1.8 Subd. 11. **Buyouts.** (a) The authority may use funds appropriated from the clean
1.9 water fund for the purposes of this section to buy out properties in a community rather than
1.10 moving forward with a proposed project provided the following conditions have been met:

1.11 (1) the project is on the Pollution Control Agency's priority list;

1.12 (2) the project is for an unsewered community with a high percentage of homes with
1.13 septic systems classified as imminent health threats;

1.14 (3) the authority has conducted a feasibility study examining all wastewater
1.15 treatment system alternatives for the community;

1.16 (4) the average per household cost of the lowest cost alternative exceeds the taxable
1.17 market value of the properties in the community; and

1.18 (5) the authority has submitted information to the members of the Legislative
1.19 Advisory Commission for review and recommendation as provided under paragraph (b).

1.20 (b) Prior to buying out properties under this subdivision, the authority must
1.21 submit the results of the feasibility study and the buyout proposal to the Legislative
1.22 Advisory Commission for review and recommendation. If the commission does not
1.23 make a recommendation within 30 days, no further review by the Legislative Advisory
1.24 Commission is required, and the authority may move forward with buyouts under this

- 2.1 subdivision. If a recommendation by any member of the commission is for further review
- 2.2 of the proposal, the authority must receive legislative approval prior to expending funds
- 2.3 under this subdivision. Failure or refusal of the commission to make a recommendation
- 2.4 promptly is a negative recommendation for further review.
- 2.5 (c) All buyouts funded under this subdivision must be conducted on a voluntary basis.